

REMARKS / ARGUMENTS

This letter is responsive to the Office Action mailed October 14, 2003.

It is noted that the examiner indicated that claims 13 through 19 are allowed.

The examiner indicated that claims 7 through 12 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112 and to include all of the limitation of the base claim and any intervening claims. New claims 20 through 25 are claims 7 through 12 written as indicated as would be allowable by the examiner. In order to address the examiner's rejection under 35 U.S.C. 112, the subject matter of claim 6 which has been incorporated into new claim 20 has been amended by deleting the reference to having an external bore. The examiner indicated that the phrase external bore is unclear and that phrase has now been eliminated.

The examiner rejected claims 1 through 4 under 35 U.S.C. 102 in view of Lauks U.S. 4,998,881. In addition, the examiner rejected claims 5 and 6 under 35 U.S.C. 103 in view of the combination of Lauks '881 and Cascione U.S. 5,800,168.

Claim 1 has been amended to more clearly identify the function and location of the various claim elements. We believe with this amendment that the structure claimed differs completely over the structure of Lauks or any combination of Lauks with any other art.

The examiner indicated that Lauks shows a drill alignment arm 6. The structure identified by numeral 6 is referred to by Lauks as an annular flange. The annular flange 6 is a part of the structure 3 referred to in Lauks '881 as a slide sleeve. It appears there is some misuse of numbers in the Lauks disclosure. In Figure 1, the numeral 6 is used to identify an annular flange on the structure 27 which Lauks indicates is a precision sleeve. This is not compatible with the use of the numeral 6 to show a flange

on the slide sleeve 3 shown in Figure 2. In Figure 3 of Lauks, the assembly shows the precision flange 27 which is closely received within the cylindrical bore 22. However in Figure 3, the lead line from the number 22 appears to extend to the internal surface of the precision sleeve rather than the bore in the drill sleeve template 5. Further, in Figure 3, the lead line from the numeral 3 extends to the precision sleeve 27 rather than the structure which is attached to the flange bearing the numeral 6. Thus, there appears to be substantial inconsistencies in the drawings of Lauks '881.

Nevertheless in attempting to interpret Lauks '881 as clearly as possible, it is respectfully submitted that the structure 6 or for that matter the precision sleeve structure 27 is not a drill alignment arm for attaching to the dental drill head as specified in claim 1. The pin 8 of which there may be two, together with the pin 9, are not attached to the dental drill head. Rather, these are attached to the slide sleeve 3. The chuck 12 of the drill is provided with slide members which may be of various shapes to receive the rods 8/9.

In claim 1 as amended, the stent has been defined as including a locating barrel. The claim has further been clarified to point out that the locating barrel has a bore which receives the drill alignment arm pin. In Lauks '881, if the structure 27 is said to be a locating barrel, or for that matter, if the structure 3 were said to be a locating barrel within the claim language, then none of the pins 8 and 9 are received within the locating barrel type structures. It is believed that it is inappropriate and quite inaccurate to refer to any of the structure of Lauks as being a locating barrel within the meaning of the present application. Claim 1 has been further amended to clarify the situation by defining that the locating barrel is located remote from the desired location of the drill axis. As shown in Lauks, all of the structures 27, 3 and the drill chuck, are precisely aligned so that there is a common axis with all of these parts. It is believed that this is necessary with the Lauks design as the Lauks design requires that the cylindrical bores 22 be placed in the drill sleeve template 5 at the desired location as accurately as possible. As shown in Figure 7, the structures 27 and 3' are located precisely at the

Appln. No. 10/086,859
Amdt. dated -April 1, 2004
Reply to Office Action of October 14, 2003

desired location by the use of a hardenable substance 27' if necessary. None of the structure of Lauks thus meets the indication that the locating barrel is located remote from the desired location. In fact, Lauks does exactly the opposite.

Claim 4 has been amended to correct the dependency. Claim 6 has been amended to delete the reference to an external bore. Based on the examiner's comments, it is believed that claims 13 through 25 are allowable. Based on the remarks set out above, it is respectfully submitted that claims 1 through 12 also now patentably distinguish over any of the examiner's art cited to date and thus are in condition for allowance.

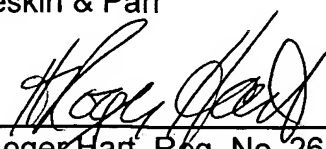
In the enclosed Petition for Extension of Time. We have paid the necessary fees for an extension of time of three months to respond to the examiner's action.

In view of the number of total claims cancelled and the additional claims added and in view of the number of independent claims cancelled and added, it is believed that additional fees for one newly added independent claim and five additional claims are required. Accordingly, we are enclosing our firm cheque No. 6316 in the amount of \$88.00 in payment of excess claims fees.

The Commissioner is authorized to charge any additional fees or credit any overpayment to our deposit account number 02-2095.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
Bereskin & Parr

By 
H. Roger Hart, Reg. No. 26,426
(416) 957-1691